

Message Text

CONFIDENTIAL

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ACTION SS-30

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 6544

C O N F I D E N T I A L SAN JOSE 1100

EXDIS

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJ: COSTA RICAN EXTRADITION BILL

REF: SAN JOSE 1098

1. I CONSIDER IT ESSENTIAL THAT I GO BACK TO THE GOCR AT AN APPROPRIATE LEVEL (WHETHER FIGUERES OR SOLORZANO) TO EXPRESS FOR THE RECORD OUR DISAPPOINTMENT OVER THE ASSEMBLY ACTION, TO URGE THE GOVERNMENT TO RECONSIDER THE PROBLEMS WE HAVE RAISED VERY CAREFULLY BEFORE SIGNING THE BILL, AND TO SEEK ONCE AGAIN ASSURANCES THAT OUR EXTRA-DITION TREATY WOULD PREVAIL IN THE EVENT OF A SPECIFIC NEW EXTRADITION REQUEST. I WOULD USE THIS OCCASION ALSO TO REFER TO SPECULATION IN THE ASSEMBLY THAT THE GOCR MIGHT DENOUNCE THE TREATY, AND TO ASK WHETHER THERE IS IN FACT ANY THOUGHT BEING GIVEN TO THIS.

2. WE SHOULD HAVE NO ILLUSIONS HOWEVER THAT FIGUERES WILL VETO THIS BILL AFTER PAYING THE COST HE HAS PAID TO RAM IT THROUGH THE ASSEMBLY. OUR ONLY REAL HOPE WAS THAT THE ADMINISTRATION WOULD RETREAT ON THE BILL PRIOR TO PASSAGE UNDER THE PRESSURE OF AN UNUSUALLY AROUSED PUBLIC REACTION MANIFESTED BY KEY OPPOSITION LEADERS, THE BAR, AND THE PRESS. THE HOPE THAT PRESIDENT ELECT ODUBER MIGHT TAKE A STRONG POSITION AGAINST THE BILL DID NOT MATERIALIZE, AND WAS PROBABLY NOT REALISTIC IN THE FIRST PLACE (SEE PARAGRAPH 4 BELOW).

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3. IT IS VERY POSSIBLE THAT THE PRESIDENT WILL MOVE QUICKLY TO SIGN THE BILL. I THEREFORE PLAN TO REQUEST AN APPOINTMENT TOMORROW TO SEE SOLORZANO ON SATURDAY, THUS ALLOWING TIME FOR ANY FURTHER GUIDANCE THAT THE DEPARTMENT MAY HAVE TO GIVE ME. I SEE NO POINT IN GOING BACK TO FIGUERES HIMSELF UNLESS WE HAVE CONSIDERABLE NEW ARGUMENTATION TO PRESENT. IN THE MEANTIME ALSO I HAVE ASKED ATTORNEY CASTILLO TO GIVE ME HIS READING ON THE QUESTIONS RAISED IN STATE 055653. I WILL ALSO PUT THESE QUESTIONS TO SOLORZANO.

4. I DID MEET WITH ODUBER ON THIS MATTER YESTERDAY AFTERNOON, MARCH 20. AT THAT TIME HE EXPECTED, AS WE WERE ALSO HEARING FROM OTHER SOURCES, THAT THE ASSEMBLY WOULD DELAY A FINAL VOTE ON THE BILL FOR AT LEAST SEV-

ERAL DAYS. ODUBER ASSURED ME THT HE KNEW NOTHING ABOUT THE BILL PRIOR TO LAST SUNDAY WHEN FIGUERES TELEPHONED HIM IN PANAMA. HE SAID HE WAS CON-

CERNED ABOUT IT AND HAD ASKED PERSONAL LAWYERS TO STUDY IT FOR HIM. HE PROMISED TO CONSIDER THE POINTS I MADE, WHICH WERE SUBSTANTIALLY THE SAME AS I MADE TO FIGUERES. ODUBER ASSURED ME THAT HE WANTS TO WORK CLOSELY WITH THE UNITED STATES ON MATTERS OF INTERNATIONAL CONCERN SUCH AS ARE INVOLVED HERE ONCE HE IS IN OFFICE. HOWEVER, HE ALSO SAID FRANKLY THAT HE CONSIDERS IT POLITICALLY ESSENTIAL FOR HIM TO AVOID OPEN CONFRONTATIONS WITH PRESIDENT FIGUERES PRIOR TO THAT TIME.

5. IN RESPONSE TO PRESS INQUIRIES WE ARE SAYING ONLY THAT WE DO NOT HAVE THE FINAL TEXT OF THE BILL AND HAVE NO SUBSTANTIVE COMMENT. I BELIEVE THAT SOMETIME LATER WE SHOULD SAY THAT WE ARE VERY CONCERNED ABOUT CERTAIN ASPECTS OF THIS MEASURE AND THAT WE HAVE EXPRESSED THOSE CONCERNS TO THE GOCR. WOULD APPRECIATE ANY PRESS GUIDANCE DEPARTMENT MAY WISH TO PROVIDE.
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